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VILLAGE OF BARRINGTON

ORDINANCE NO. 05- 3265

AN ORDINANCE AMENDING TITLE 1
OF THE BARRINGTON VILLAGE CODE

(RE: New Chapter 11, "VOB-TV4 Cable TV Channel 4
Mission Statement and Operating Policies")

ADOPTED BY THE CORPORATE AUTHORITIES
OF THE VILLAGE OF BARRINGTON

THIS 24th DAY OF October, 2005

Published in pamphlet form by authority of the Corporate Authorities of the Village of Barrington, Illinois, this 25th day of October, 2005.

AN ORDINANCE AMENDING TITLE 1
OF THE BARRINGTON VILLAGE CODE
(RE: New Chapter 11, “VOB-TV4 Cable TV Channel 4
Mission Statement and Operating Policies”)

WHEREAS, the Corporate Authorities of the Village of Barrington find that it is in the best interests of the residents of the Village to amend the provisions of the Village Code to establish a mission statement and operating policies for a dedicated governmental access cable television channel, specifically “VOB-TV4” Cable TV Channel 4, for the use of qualifying charitable, eleemosynary, civic, or governmental organizations which seek to enhance aspects of the community as hereinafter set forth:

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Barrington, Cook and Lake Counties, Illinois, that:

SECTION 1: The President and Board of Trustees hereby find that the recitals hereinabove set forth are true and correct.

SECTION 2: Title 1 of the Barrington Village Code (2004), as amended, is hereby further amended by the addition of a new Chapter 11, “VOB-TV4 – Cable TV Channel 4 – Mission Statement and Operating Policies”, which new Chapter shall read as follows:

“CHAPTER 11
VOB-TV4 – CABLE TV CHANNEL 4
MISSION STATEMENT AND OPERATING POLICIES

- 1-11-1: Mission Statement
- 1-11-2: Regulations Governing Use
 - A. Purpose
 - B. Objectives
 - C. Channel Administration
 - D. Programming Statement
 - E. Program Type and Scheduling Priority
 - F. Programming Restrictions
 - G. Political Broadcasting
 - H. Access Policy
- 1-11-3: Minimum Technical Standards
- 1-11-4: Broadcasting Request Form

1-11-1. Mission Statement

The goal of VOB-TV4, the Government Access Channel is to provide residents, local businesses and visitors with information about the Village of Barrington (hereinafter referred to as the “Village of Barrington”, the “Village” or “Barrington”), Cook and Lake Counties, Illinois, other units of local government, the community and special programs and events that serve to strengthen Barrington’s identity as a great place to live, work and play.

1-11-2. Regulations Governing Use

A. Purpose

The purpose of these regulations is to provide guidelines for the use of VOB-TV4, the Government Access Channel provided by the cable provider for the Village of Barrington, and to describe its use by the Village of Barrington. VOB-TV4 is a government channel as provided for in the Cable Communications Policy Act of 1984. This Federal legislation establishes government, educational and public channels for use by each of these respective groups. As a government channel, there is no legal requirement to broadcast any type of programming that is not government-sponsored on VOB-TV4. VOB-TV4 is committed to programming that helps residents, local businesses, and visitors learn more about programs and services offered by the Village and other overlapping units of local government, and community offerings and events sponsored by qualifying charitable, eleemosynary, civic, or governmental organizations which seek to strengthen and enhance certain aspects of the community in accordance with the Mission Statement (hereinafter referred to as “qualifying organizations”).

B. Objectives

1. To serve as an on going source of government information for the residents and businesses of Barrington and to enhance community understanding of the services provided by the Village.
2. To increase public knowledge of the functions and responsibilities of Village government, and of the functions of its Village Board¹, operating departments, and advisory boards, commissions and committees.
3. To serve as an emergency information center - providing notice and updated information on local emergency situations related to such matters as weather, hazardous spills, water system status, crime, etc.
4. To strengthen community identity and involvement by announcing and/or providing program coverage of local events and activities and highlighting local businesses and organizations.
5. To supplement the ongoing communications between the Village and its audiences.

¹ Throughout this instrument, the terms “Village Board”, “Board” and “Corporate Authorities” shall mean and refer to the President and Board of Trustees of the Village of Barrington.

C. Channel Administration

VOB-TV4 is owned, operated and regulated by the Village of Barrington and is an operating branch of the Village Manager's Office. The Cable Coordinator is responsible for programming activities and program schedules, which are established based on direction from the Village Manager and in accordance with guidelines adopted by the Corporate Authorities. It is the responsibility of the Cable Coordinator, under the direction of the Village Manager or designee, to manage the facility and production operations, exercising professional judgment in administering policies set forth by the Corporate Authorities. This includes but is not limited to acting as executive producer of all programs produced by VOB-TV4, supervising all employee or other volunteers participating in the production and cablecast programming with VOB-TV4, and developing and issuing additional operating procedures as necessary, but decisions on matters of policy and programming parameters shall be reserved to the Corporate Authorities.

The Cable Coordinator, under the direction of the Village Manager or his designee, is also responsible for reviewing requests from Barrington residents and organizations to utilize VOB-TV4 to cablecast information and programs to the community. The Cable Coordinator is responsible for determining the appropriateness of the content of the informational materials and programs included in the requests, based on the policies and procedures established herein or as amended by the Corporate Authorities. If the request for programming is denied by the Cable Coordinator, the applicant may appeal the denial to the Village Board within seven (7) business days of the denial. The appeal shall be in writing and shall state the basis for the appeal, and shall be filed in the office of the Village Manager. The Village Board shall consider the appeal at its next regularly scheduled meeting, or at a special meeting, if the Village President determines that this is required by the nature of the matter being appealed. The party appealing may appear before the Board to present its appeal and the Cable Coordinator or other Village representatives may respond in person or in writing. The appealing party may not address the Village Board on issues that have not been raised in its written notice of appeal.

The Village Manager is directly responsible to the Corporate Authorities for the efficient, effective, and responsive operation of the cable function. As the elected officials of the Village, the Corporate Authorities retain final authority for establishing the overall policies and procedures, including programming parameters, related to the operation of VOB-TV4

D. Programming Statement

VOB-TV4 will provide information to residents and businesses of and visitors to the community concerning the functions, activities, programs and issues of the Village. The channel is not intended to be used as a political forum by an individual or group, nor as a mechanism for building exclusive support for a particular person, program or issue. This section shall not be construed to prohibit candidate forums to which all candidates for the particular elected offices to be included in the forum are invited to participate and which is organized, sponsored and run by a nonpartisan organization (such as the League of Woman Voters) for the purpose of educating the electorate. Use of the channel shall be

governed by the operating procedures as set forth herein and by the rules of the Federal Communications Commission (FCC) as they may apply to operations of VOB-TV4. The channel shall not be used by any person or group that seeks to foster, promote, or encourage disharmony based on race, ethnicity, or national origin or otherwise seeks to exploit differences among residents of the Village or among people in general.

The Cable Coordinator reserves the right to review all programs, proposed and/or completed, to determine compliance with programming regulations and channel purpose, objectives, priorities, restrictions, and access in accordance with the provisions of this policy. Any program under consideration may be accepted as presented, may be rejected, or may be given conditional approval. In the case of conditional approval, a program may be deemed appropriate, except for stated objectionable or offensive program portions, which will be listed as needing revision or deletion from the program. The presenter of the program will then have the option of making all specified changes or withdrawing the program from consideration. All submitted material must be provided in broadcast quality in compliance with the technical standards outlined in Attachment A to this policy and as may be modified from time to time by the Cable Coordinator and must be accompanied by a fully completed Request for Programming Cablecast Form (Attachment B) whenever applicable.

E. Program Type & Scheduling Priority

Programming on VOB-TV4 will fall into one of the following programming categories, listed by scheduled priority:

1. Emergencies

May consist of live, taped or Alpha Numeric programming, shown at any time as the emergency dictates. The purpose of this programming will be to inform residents of emergency situations, and to notify and instruct viewers in evacuation, detour and escape procedures. In the case of an emergency, regularly scheduled programming may be interrupted or canceled. The content and scheduling of any emergency programming will be pursuant to Village emergency plans, ordinances and policies.

2. Broadcast of Meetings of the Village of Barrington Corporate Authorities

Live coverage of Meetings of the Corporate Authorities of the Village of Barrington Board occur twice a month (normally the 2nd and 4th Mondays of the month), or more often or less often as scheduled. Meetings are aired gavel-to-gavel (with the exception of those instances where the Board adjourns to Closed Session and no action by the Board after Closed Session other than to officially adjourn the meeting is contemplated, in which case the meeting is aired through the roll call on the motion to adjourn to Closed Session) without editing or editorial comment. Meetings may be rebroadcast. Excerpts of a public meeting may be used by the Village as part of a featured program.

3. Broadcast of Meetings of Village of Barrington Advisory Boards, Commissions and Committees

Live or taped coverage of meetings of Village advisory boards, commissions, and committees will be aired periodically based on location and staff and equipment

availability or upon request of the Corporate Authorities. Unless covering only a specific presentation being presented at a meeting, meetings are aired gavel-to-gavel without editing or editorial comment. Meetings may be rebroadcast. Excerpts of a public meeting may be used by the Village as part of a featured program.

4. Village of Barrington Programming

Includes programs and series produced or purchased by the Village of Barrington. Programs will be directly related to Village issues or Village of Barrington sponsored programs, services and events. Programs will be informative in nature.

5. Barrington Taxing Bodies and Quasi-Governmental Entities Programming

Includes programs and series produced or purchased by governmental bodies that have the authority to levy property tax on property within the corporate limits of the Village and quasi-governmental entities of whom the Village of Barrington is considered a member. Programs will be directly related to Village issues or a local taxing body or quasi-governmental sponsored programs and services. Programs will be informative in nature.

6. County, Regional, State and National Governmental Programming

Includes programs and series produced or purchased by county, regional, state and national governments. Programs will be directly related to Village issues or governmentally sponsored programs and services. Programs will be informative in nature.

7. VOB-TV4 Community Bulletin Board

Computer generated message service used to display messages to the public relating to program scheduling, Village government, meetings of and community events sponsored by qualifying community organizations and Village initiated congratulatory messages relating to units of government and quasi-governmental entities as identified in Section E.5. and qualifying community organizations and businesses located within the corporate limits of the Village of Barrington. Message content and decisions on message suitability will be governed by channel purpose, objectives, access regulations and programming regulations and is subject to approval by the Cable Coordinator.

8. Community Programs and Events

Includes programs and events sponsored by qualifying community organizations. The covered program or event shall serve to strengthen community identity of Barrington as “a great place to live, work and play” and must have community-wide appeal and participation. Message conveyed by the covered program or event must be consistent with channel purpose, objectives, access regulations and programming regulations and is subject to approval by the Cable Coordinator.

9. Hiring Announcements

Names of and contact information for businesses and organizations operating within the Village of Barrington who are currently hiring employees for their respective business or organization.

For the purpose of this policy a qualifying community organization shall be a not-for-profit or governmental organization located within the corporate limits of the Village of Barrington or within the area covered by the Barrington Area Council of Governments (BACOG) sponsored by qualifying charitable, eleemosynary, civic, or governmental organizations which seek to strengthen and enhance certain aspects of the community in accordance with the Mission Statement. Only those messages or programs and/or events submitted by a qualifying community organization that are consistent with channel purpose, objectives, access regulations and programming regulations outlined in this policy and further limited by this and other sections of the policy and subject to the approval by the Cable Coordinator will be broadcast on VOB-TV4.

F. Programming Restrictions

1. The Village of Barrington recognizes the programming content restrictions imposed on VOB-TV4 by the Federal Communications Commission (FCC), by prevailing local standards, and by applicable Federal, state and local laws. In particular VOB-TV4 will not cablecast, or allow to be cablecast, any programming containing any of the following:
 - a. Promotions, endorsements, or advertisements for any private business (except as provided for in Section E - 9), commercial service or product or any paid advertising materials in which commercial appeals for funds are made. Acknowledgment of grants or donations for programming purposes shall not be considered as advertising. Paid advertising material includes, but is not limited to, advertising by or on behalf of a candidate for public office and program material made available with or without charge by persons, corporations, or institutions which have a commercial interest in the subject matter. This provision shall not prevent the identification of persons or institutions providing grants or contributions to underwrite the cost of programs unrelated to the commercial interest of the donor or to programs which have a public interest overriding the private commercial interest.
 - b. Materials or content intended to be used as a political forum by an individual or group or as a mechanism for building exclusive support for a particular person, program or issue. This section shall not be construed to prohibit candidate forums to which all candidates for the particular elected offices to be included in the forum are invited to participate and which is organized, sponsored and run by a nonpartisan organization (such as the League of Woman Voters) for the purpose of educating the electorate.
 - c. Lottery information.
 - d. Religious programming with the exception of holiday music.

- e. Any material or language which constitutes libel, slander, pornography, obscenity or violence.
 - f. Trademarks or copyrighted material, unless written permission for use has been obtained and is provided.
 - g. Programming which is prohibited by applicable Federal, state or local laws.
2. In the case of programs deemed to be consistent with channel purpose, objectives, access regulations and programming regulations but also containing some program content or language that may be considered offensive to some viewers, the following message may be run prior to the program, and during any natural program break:

“The following program has been deemed worthy of cablecast on VOB-TV4, but contains language or other program content that may be offensive to some viewers. Viewer discretion and parental guidance are advised.”

G. Political Broadcasting

1. Candidate forums to which all candidates for the particular elected offices to be included in the forum are invited to participate and which is organized, sponsored and run by a nonpartisan organization (such as the League of Woman Voters) for the purpose of educating the electorate may be aired on VOB-TV4. The format for all such forums must be submitted at the time of application and the schedule for broadcasting must be finalized prior to the actual date of the forum. Candidates for public office may appear on VOB-TV4 if the appearance is incidental to presentation of subject matter; or in coverage of official Village meetings such as Village Board, Village advisory boards, commissions or committees. VOB-TV4 and the Cable Coordinator will make a good faith effort to ensure that any appearance by any political candidate on VOB-TV4 will abide by these restrictions, and will attempt to tailor such appearances so as to minimize the fact of their candidacy.

H. Access Policy

VOB-TV4 is a Government Access Channel, as outlined in the Federal Cable Communications Act of 1984, created for the dissemination of government-related information to the viewing public. Access to the channel may range from submitting a public service announcement for the VOB-TV4 billboard, to putting in a request for event coverage, to working side-by-side with VOB-TV4 to produce a program or program series. In each case, proper procedures must be followed before access will be provided.

1. VOB-TV4 Bulletin Board Procedures
- a. All requests must be submitted in writing on a Village of Barrington Request for Programming Cablecast Form (a copy of which is attached hereto as Attachment B), must include the name of the organization for which the request is being made along with the name, address and phone

number of the contact person and should be submitted at least five (5) working days prior to the requested start date.

- b. Messages should be concise, and should contain basic information concerning what, when, where, how, and how much. Messages should be limited to approximately eight brief lines. If necessary VOB-TV4 staff will edit the message to meet space requirements, to improve readability of the message and to insure that the message is grammatically correct.
- c. All submissions received will be cablecast at the sole discretion of the Cable Coordinator. The Cable Coordinator is responsible for determining the appropriateness of the content of a message. The Cable Coordinator will use the channel purpose, objectives, access regulations, programming regulations and further limitations outlined in this policy or otherwise by the Corporate Authorities in making this determination. The determinations of the Cable Coordinator may be appealed as provided herein.
- d. If material is determined to be unsuitable for inclusion on the bulletin board, the material in question will be returned to the sender along with a brief written statement of the reason for the decision. When appropriate, the written statement may also offer assistance for making changes necessary to qualify the material for inclusion on the VOB-TV4 bulletin board.
- e. Cable Coordinator will endeavor to cablecast submissions when requested, subject to priority, budgetary and staff-time constraints.
- f. Submissions will be readied for cablecast on the basis of the priorities established in Section E of this policy. Subject to the availability of space, approved submissions will be cablecast no later than 5 days after receipt and will air for a minimum of five (5) days unless priority submissions of an emergency or timely nature necessitate alternation of this schedule.

2. Event Coverage Procedures

- a. To request live or taped coverage or the broadcasting of a tape of a program or an event by VOB-TV4, the applicant must contact the Cable Coordinator and submit a request in writing on a VOB-TV4 Request for Programming Cablecast Form (a copy of which is attached hereto as Attachment B). The form must include the name of the organization for which the request is being made and must include the name, address, and phone number of the contact person.
- b. Applicants will be required to provide the name, date, location and purpose of the program or event. Sufficient written details of the program or event to allow the Cable Coordinator to determine whether the program or event is consistent with channel purposes, objectives, access regulations and programming regulations and further limitations outlined in this policy must be provided.

- c. It is the responsibility of the applicant to obtain all on-site and off-site approvals for taping or broadcasting of a tape. This includes permission from property or business owners, performers, event coordinators, etc. Approvals should all be obtained in writing prior to submitting the VOB-TV4 Request for Programming Cablecast Form. The Cable Coordinator may ask for proof of approvals prior to considering the request, and will require the applicant to sign a statement that necessary approvals have been obtained.
- d. Every program presented for broadcasting must identify, at the end of the program, its producer and sponsor.
- e. Videotapes obtained from “outside” sources must carry a disclaimer from the Village of Barrington and VOB-TV4 regarding responsibility for their content.
- f. “Outside” programming meeting VOB-TV4 guidelines will not be edited in any way without permission of the producer and then only in cases where it does not meet the Minimum Technical Standards identified in Attachment A.
- g. The VOB-TV4 Request for Programming Cablecast Form should be submitted a minimum of twenty (20) working days prior to the event.
- h. A request originating from any Village department must be approved by the Village Manager, including approval of the production costs to be incurred by VOB-TV4.
- i. Applicants may be required to pay all costs incurred by the production, including, but not limited to, staff time, admittance fees, artwork and graphics, clearance fees, royalties and permission fees.
- j. Submission of a VOB-TV4 Request for Programming Cablecast Form does not in any way guarantee approval of the applicant’s request.
- k. Village produced programs and all work footage shall be the sole property of the Village of Barrington.

3. Village Hall Board Room and Control Room Usage Procedures

- a. Video Equipment in the Village Hall Board Room and the Control Room may only be used by trained personnel, with the permission of the Cable Coordinator.
- b. Allowed use of Village Hall Board Room for meetings, discussions, informational sessions or other forums, when granted by the Village’s policy regarding the use of Village Hall does not include or imply use of video equipment for broadcasting or taping. To request coverage for activities held in the Village Hall Board Room, applicants must follow the Event Coverage Procedures.

4. Portable Equipment Usage Procedures
 - a. Use of Village owned portable video equipment is subject to the approval of the Cable Coordinator and may only be operated by trained personnel. Portable equipment owned by the Village of Barrington is not available for use by the public.
5. The Cable Coordinator will consider each Bulletin Board, Event Coverage, or Usage request based on:
 - Compliance with all Village and VOB-TV4 policies & procedures;
 - Advancement of the Mission Statement;
 - Availability of staff and resources;
 - Availability of equipment and facilities;
 - Capability of staff and equipment
6. Emergency Procedures

Emergency programming is to be originated by the Village President or his/her designee, Village Manager's Office, Police, Fire, Public Works or other emergency personnel and must be authorized pursuant to the Village's emergency plans, ordinances and policies. Only trained personnel are allowed to access the equipment and broadcast an emergency bulletin or other emergency communications.

1-11-3: Minimum Technical Standards

All programming cablecast over Channel 4 (VOB-TV4) shall meet the following minimum technical standards.

Video

- Grain at or below 100 (no grainy, low light levels)
- No extreme dropouts/glitches
- No loss of sync/control track
- No unregistered cameras/incorrect color balance
- No unreasonably out of focus shots
- The Village will accept video on the following formats: DV, DVD, VCR

Audio

- Must have consistent audio levels, free of hum or static.

1-11-4: Request for Programming Cablecast

Organizations submitting programming for cablecast or announcements for inclusion on the Community Bulletin Board must clearly demonstrate how the submission is related to a public service, enhances the community image or is an activity of a qualifying community organization as described in the Village's Mission Statement on the use of the Village cable television channel. All submissions are subject to the Programming Operating Policies or the Guidelines for the Use of the Community Bulletin Board included in the Village's Cable Channel Policy. ***The Village of Barrington Cable Coordinator is responsible for determining if and when a program or announcement will be cablecast and may deny any request for cablecast if a determination is made that the content of a submission is inappropriate.*** Please see the Village's cable policy for further information on appropriate content.

Name of Organization: _____

Contact Person: _____

Address: _____

City, State, Zip: _____

Phone: _____ Fax: _____ E-Mail: _____

Submission is ☐ Program for Cablecast ☐ Announcement for the Community Bulletin Board

Program/Announcement Date and Time Request: _____

Title of Program/Announcement: _____

Briefly Describe the Content in the Program/Announcement: _____

Briefly Describe the Goal of the Program/Announcement, how it is Related to and benefits the Barrington Community:

Signature of Contact Person

Date

SECTION 3: If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is, for any reason, held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance, or any part thereof. The Corporate Authorities hereby declare that they would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentence, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 4: This Ordinance shall be in full force and effect immediately from and after its passage, approval and publication as provided by law.

SECTION 5: This Ordinance shall be published in pamphlet form.

PASSED THIS 24th DAY OF OCTOBER 2005 BY ROLL CALL VOTE AS FOLLOWS:

AYES: Trustees Raseman, Daluga, Miller, Roberts and Anderson

NAYS: None

ABSENT: Trustee Hunt

ABSTAIN: None

Approved this 24th day of October , 2005.

/s/ Karen Darch, Village President

Attested and filed this 24th day of October, 2005.

/s/ Ron M Koppelman, Village Clerk

Published in Pamphlet Form the 25th day of October, 2005.